



Commercial Use Authorization and Special Use Permit Specific Conditions – Guided Fishing Service

The Permittee and employees registered under this Permit will exercise this privilege subject to all of the following Specific Conditions:

1. **Definition of Services Authorized Under This Permit:** Guided Fishing Services consists of providing guided fishing trips by escorting visitors/clients to destinations within the boundaries of the lakeshore on Lake Superior by boat/vessel designed for such use, while maintaining a required continuous presence at all times with the visitors/clients as specified below:
 - a. The Permittee, or registered guide(s), of the business will maintain the required continuous presence with the visitors/clients from departing the launch ramp/dock/marina until the moment of returning to the launch ramp/dock/marina.
 - b. Motorized boats/vessels used to provide or support this service will be inspected, equipped, and licensed in accordance with U.S. Coast Guard requirements, applicable federal and state laws and regulations. Vessels will display current state registration or possess a U.S. Coast Guard Declaration.
 - c. The use of motorized boats/vessels will be conducted in accordance with applicable U.S. Coast Guard (USCG) requirements, including, but not limited to operation, vessel capacity, safety equipment, and rules of the road. A minimum of a captains (six pack) license is required in order to transport clients/visitors.
 - d. This service is limited to a maximum of 6 passengers per vessel.
 - e. Guided Fishing Services will adhere to Uninspected Charter Regulations (Six Packs) for vessels less than 100 gross tons as issued by U.S. Coast Guard. The Permittee/guide boat/vessel is subject to boarding and inspection at any time within the lakeshore.
 - f. Motorized boats/vessels used to support this service will be equipped with a marine band radio and cellular phone, for use in the event of any emergency.
 - g. All vessels used under this permit will carry a USCG approved personal flotation device (PFD), as specified by USCG requirements, for each operator and passenger as well as at least one throwable Type IV PFD. A Type V PFD may be used in lieu of any wearable PFD, if it is approved for the activity in which the boat is being used. A Type V hybrid must be worn to be legal.
 - h. When towing the business boat/vessel into the lakeshore, the motorized tow vehicle(s) will be mechanically sound, of sufficient size, horsepower, and brake horsepower, commensurate to the size of the boat/vessel being towed (or as required by state law) to adequately and safely complete the tow from its place of storage outside the lakeshore, to designated public launch ramps within the lakeshore, and return.
 - i. Trailers used to transport boats/vessels within the lakeshore will have current insurance, registration, license, and inspection in accordance with state law. The trailer will be in sound mechanical condition, appropriately sized and configured for the type of boat/vessel being towed, with all lights and equipment in good working order. The trailer will be properly connected to the tow vehicle at all times. A current state license will be properly affixed and displayed at all times.
 - j. Vehicles used to provide this service will be street legal and have current insurance, registration, license, inspection, equipment, and will be properly permitted in accordance with state law. The license will be properly affixed and displayed as required by state law.

- k. Guided Fishing Services will be conducted utilizing "Leave No Trace" outdoor ethics as a matter of practice.
 - l. Guided Fishing Services are authorized during hours as specified under state fishing regulations.
 - m. All visitors/clients receiving services under this Permit will have a valid resident/non resident fishing license in their immediate possession. The Permittee will be held accountable for this stipulation.
 - n. Fishing will be conducted in accordance with current state/federal laws and/or restrictions.
 - o. The terms and conditions of this Permit apply to providing guided fishing services regardless of compensation or lack thereof.
2. **Use of Area:** The Permittee and employees registered under this Permit will only provide Guided Fishing Service on the waters of Lake Superior within the boundaries of the lakeshore as shown on the current Apostle Islands National Lakeshore Official Map and Guide (2004 edition or later). Guided Fishing Service is prohibited within any closed area.
3. **Overnight Stay:** The Permittee and their employees registered under this Permit are authorized for overnight stays at campsites only upon updating trip itinerary information when overnight camping permit is picked up and compliance with camping procedures as described as follows:
- a. Camping is only authorized as described in the Superintendent's Compendium for Apostle Islands National Lakeshore.
 - b. A permit is required for all camping activities. Permits are non-transferable.
 - c. Individual campsites are limited to a maximum of seven campers and three tents.
 - d. Group campsites are limited to parties comprised of eight up to twenty-one total campers per site, including guides.
 - e. Permanent base camps are not authorized.
4. **Designated Camping Zone Limitations:**
- a. Maximum of five campers and two tents.
 - b. Maximum of one permit per night will be issued per designated zone.
 - c. May camp on the sand beach below the vegetation line.
5. **Camping Restrictions:** No camping:
- a. Within view of any designated trail.
 - b. Within 1/4 mile of any building, historic structure, individual or group campsite.
 - c. Within 100 feet of a flowing stream.
 - d. On Federally owned lands under terms of a USE and OCCUPANCY lease.
 - e. On Eagle, Gull, or North Twin Islands.
 - f. In areas posted as closed to protect archeological sites, bird nesting areas, sensitive vegetation, or threatened or endangered species. Specific areas and the extent of the closures will be identified each camping season.

- g. Within the boundaries of the 200 acre Outer Island Hemlocks Unit as described in the Apostle Islands Natural Area Management Plan.
6. **Campfires:** Campfires are permitted in designated campsites and in conjunction with designated camping zones and day use activities.
- a. Campfires are authorized as described in the Superintendent's Compendium for Apostle Islands National Lakeshore.
 - b. Campfires must be contained in fire receptacles (fire rings and grills), where provided.
 - c. Moving or relocating receptacles (fire rings and grills) is prohibited.
 - d. Where fires are allowed, beach fires must be built in the sand below the vegetation line, at such distance that use of fire will not result in trampling or damage to beach and shoreline vegetation. Beach fires may not be larger than 3 feet height or diameter.
 - e. Beach fires are prohibited on Stockton Island in Presque Isle Bay and Julian Bay, all beaches on Raspberry Island, and beach locations within 150 feet of developed campsites where fire receptacles are provided.
 - f. Burning or placing garbage, food, or food scraps in fires is prohibited.
 - g. No fires are allowed in portable grills or stoves on docks or topside areas of boats tied to docks.
 - h. Fires are prohibited in historic or cultural management areas, including light station grounds, logging and fishing camps, structural ruins, and quarries unless receptacles are provided.
 - i. During "Very High" and "Extreme" fire danger the Lakeshore, or portion thereof, may be closed to open fires including campstoves, smoking and use of other combustible materials.
7. **Wood Collection:** Where fires are allowed within the Lakeshore, dead wood on the ground, including loose driftwood found on the beach (not buried), may be collected and used as fuel, except in the following locations:
- a. Gull and Eagle Islands.
 - b. Within the 200-acre old growth Outer Island Hemlocks unit as described in the Apostle Islands State Natural Area Management Plan.
 - c. On Federally owned lands under terms of a use and occupancy lease.
 - d. From vegetated portions of island beaches. "Vegetated portions" are defined as sand beach locations containing shoreline grasses, shrubs and/or small plants.
8. **Possession and Transportation of Firewood:**
- a. Firewood must be used on the island where it is collected.
 - b. Transporting firewood from the mainland or between islands is prohibited.
 - c. The possession of firewood in a motor vehicle, vessel, or other mode of transportation is prohibited.
9. **Food Service:** *(NPS-83 Public Health Guidelines) Food service provided shall be in accordance with current U.S. Public Health Service Food Code. Food service is subject to inspection by the NPS Public Health and Safety Officer.*
- a. Any food items provided by the Permittee to the visitors/clients will only originate from an approved source (i.e., supermarket, grocery store, etc.).
 - a. *The Permittee is required to obtain a Food Handlers certification for preparing, handling and/or providing to the visitors/clients food items. The only exception is for individual pre-packaged food, like a granola bar, that the visitors/clients open and consume without any other person handling it. . The Permittee must ensure that current*

copies of the Food Handler's Certificate(s) are always on file with the Apostle Islands NL Commercial Services Manager.

b. Alcohol must not be provided.

10. **Waste Management:** The Permittee will manage solid (fecal) human waste to assure proper disposal at lakeshore provided toilet facilities or will provide its own portable toilets. In areas without toilets, solid (fecal) human waste will be buried at least 6 inches below ground, no less than 200 yards from any water source. **Toilet paper must be packed out of the lakeshore.** All bathing and washing, including dishwashing, will be done with biodegradable soaps no less than 200 feet from any water source to prevent wash water from being introduced into the water source. All other activity generated debris will be collected and disposed of outside of the lakeshore.
11. **Damage to Natural/Cultural Resources:** The Permittee and their employees registered under this Permit will ensure that no visitor/client disturbs, climbs on, damages, or removes any natural/cultural resources, archeological or historic artifacts. Entering any closed area is prohibited by law.
- a. If artifacts are discovered, the Permittee will ensure they are left in place undisturbed, and will immediately report the discovery to the Apostle Islands NL Resource Management Division (715) 779-3398 x 221 or park dispatch at (715) 779-3998 x 100.
12. **Licenses:** The Permittee and guide(s) registered under this Permit are required to possess the following:
- a. A current resident or non-resident fishing guide license (as applicable) issued by the Wisconsin Department of Natural Resources.
- b. A current boat/vessel captains (six pack) license or masters certificate issued by the U.S. Coast Guard.
- c. The Permittee must provide current copies of the guide license(s) and U.S. Coast Guard License(s) for all employees registered under this Permit to the Apostle Islands Commercial Services manager for filing as part of the Permit.
- d. When providing vehicle transportation for visitors/clients within the boundaries of the lakeshore, the Permittee will ensure all employees under this Permit performing services as drivers are currently qualified to perform the service and possess, if appropriate, a **Commercial Driver's License** (CDL) as required by Wisconsin Department of Transportation regulations. A CDL is required for operation of motor vehicles that have the capacity to carry 16 or more passengers including the driver. The Permittee must ensure that current copies of the Commercial Driver's License are always on file in the Apostle Islands NL Commercial Services Manager.
13. **First Aid Requirements:** The Permittee and guide(s) are required to possess current Basic first aid and CPR certification (adult and child) and will carry first aid equipment commensurate with the size of the group and training of the Permittee and guide(s). The Permittee must provide current copies of the Basic first aid certification(s) and CPR certification(s) to the Apostle Islands NL Commercial Services Manager for filing as part of the Permit. (Refer to 46 CFR 10.205(h)(1)(ii) and 10.205(h)(2)(iii)).
14. **Operation Plan:** The Permittee is required to submit an Operation Plan [Attachment D] to the National Park Service (NPS) summarizing the operations to be conducted, products used/provided, safety plan of action, and methods of operation employed to prevent pollution and to reduce waste through source reduction and recycling. The operation plan is reviewed and approved/disapproved by the NPS. The operation plan will be kept on file and will become part of the record regarding the performance of this Permit; however, it is a separate document and will not become part of the Permit. The operation plan will specifically include:
- a. Safety plan of action the Permittee will implement in the event of accident or injury.
15. **Emergency Response:** All emergency situations such as accidents, fires, and search and rescues will be reported to a Park Ranger or Apostle Island NL Dispatch by phone at (715) 779-3398 x 100, or Bayfield County Sheriffs Dispatch (9-1-1) or (715) 373-6140, at the earliest possible opportunity.

16. **Exotic Species Prevention:** The Permittee is responsible for knowing what waters any boat/vessel providing services under this Permit has been exposed to in the 30 day period prior to entering the lakeshore. The Permittee will make every effort to ensure their boats/vessels being brought into the lakeshore under the services of this Permit known to have been exposed to waters containing exotic species such as Zebra Mussels, Eurasian Watermilfoil (aquatic plant), etc., are free from infestation as outlined below.
- a. The Permittee is responsible for conducting a visual inspection and thorough cleaning of any boat/vessel that has been in any waters in the 30 day period **prior** to entering the lakeshore. All clinging vegetation will be removed. The cleaning will include as a minimum, washing with water heated to 170° or hotter all wet wells; hull, props, shafts, trim tabs, outdrives, outboard engines, and trailers as well as flushing motor/engine cooling systems.
 - b. The Permittee is responsible for clearly identifying to the NPS those boats/vessels being brought into the lakeshore area under the services of this Permit that have been in waters known to contain exotic species, and state for the record that a thorough cleaning has been conducted.
 - c. The Permittee and their employees registered under this Permit will not launch any boat/vessel known to have been exposed to waters containing exotic species without first cleaning the boat/vessel as outlined above. Questions concerning cleaning methods, or requests for assistance in determining possible infestation should be directed to the Apostle Islands NL Resource Management Division by phone (715) 779-3398, fax (715) 779-3049, or by email to apis_resource_issues@nps.gov.
17. **Prohibited Activity:** The Permittee and employees registered under this Permit are specifically prohibited from providing, conducting, engaging in, or effecting by any method of delivery, including by land, by water or by air, the following:
- a. Traversing by vehicle anywhere other than on designated roads.
 - b. Causing any damage and/or harm to any natural, cultural and/or historic resource or facility, including removing posted signs.
 - c. Disturbing or collecting any artifacts by any means and/or any methods.
 - d. Outside of authorized activities directly related to fishing: harassing, capturing, collecting, chasing and/or killing any wildlife.
 - e. Feeding wildlife.
 - f. Cutting and/or creating new trails in any form or by any means.
 - g. Marking trails and/or fishing spots by flagging, rock cairns, vegetation or dead wood, or by use of marking paint of any kind or by any means.
 - h. Pets of any kind on guided fishing trips.
 - i. Entering by vehicle, boat/vessel or on foot, any closed areas.
 - j. Guided fishing service to any commercial film, research entity, or any agency without first ensuring the entity or agency possesses a valid Special Use Permit issued by the Apostle Islands NL Commercial Services Manager.
 - k. Any services of any kind in dry storage facilities, in parking lots, on launch ramps, at courtesy docks, or anywhere on any waters, or any other locations within the lakeshore outside those services specifically authorized under Section 1, at those areas specifically authorized under Section 2 in this Permit.
 - l. Providing alcohol products of any kind to any visitor/client.

18. **Liability Insurance:** The following liability insurance is required for this service:

- a. Commercial Comprehensive General Liability: The minimum amount of Commercial Comprehensive General Liability insurance required for this service is **\$500,000 per occurrence**. Refer to Commercial Use Authorization Provisions, [Attachment A] Section 26 **Certificates of Insurance** for specific guidelines regarding content requirements of all Certificates of Insurance.
- b. Commercial Watercraft Liability: This insurance is required whenever any owned, non-owned, or hired vessel is used in the course of providing services under this Permit on waters within National Park Service (NPS) areas. Depending on the size, ownership, and use of the watercraft, this is covered by either a Protection and Indemnity (P&I) Liability Policy or by a Commercial Comprehensive General Liability policy. The minimum amount of Commercial Watercraft Liability insurance required for this service is **\$500,000, per occurrence** and must provide coverage for all owned, non-owned, and hired vessels. Refer to Commercial Use Authorization Provisions, [Attachment A] Section 26 **Certificates of Insurance** for specific guidelines regarding content requirements of all Certificates of Insurance.

INSTRUCTIONS ON INSURING WATERCRAFT

Watercraft is insured under either a Protection and Indemnity (P&I) Liability Policy or a Commercial Comprehensive General Liability Policy. The determination of which policy is applicable depends on the size, ownership, and use of the watercraft. ***If your watercraft (any under 26') is covered under a general liability policy, the insurance certificate must include a statement that "watercraft liability is included" or similar documentation.*** The following chart will help in the determination of which policy you should obtain:

Length of Watercraft	Use	Required Coverage
26' and Over	Any	Protection & Indemnity Policy (P&I)
Less than 26' (Owned)	Any	Must be listed on Commercial Comprehensive General Liability Policy or have a P&I Policy. (Your watercraft must be listed on the Certificate of Insurance if using Comprehensive General Liability.)
Less than 26' (Not Owned)	Any	Must be listed on Commercial Comprehensive General Liability Policy or have a P&I Policy. (The watercraft must be listed on the Certificate of Insurance if using Comprehensive General Liability.)

NOTE: The use of Personal Watercraft (PWC) is prohibited.

- c. Product and Completed Operations Liability: If not provided under Commercial Comprehensive General Liability. The minimum amount of Product and Completed Operations Liability insurance required for this service is **\$500,000 per occurrence**. Refer to Commercial Use Authorization Provisions, [Attachment A] Section 26 **Certificates of Insurance** for specific guidelines regarding content requirements of all Certificates of Insurance.
 - d. Public Livery Liability: This insurance is required for all owned, non-owned, and hired vehicles used in providing services under this Permit to transport clients/passengers for hire within the lakeshore. The minimum amount of Public Livery Liability insurance required for this service is **\$750,000 per occurrence**, (or state minimum, whichever is greater). Refer to Commercial Use Authorization Provisions, [Attachment A] Section 26 **Certificates of Insurance** for specific guidelines regarding content requirements of all Certificates of Insurance.
 - e. Uninsured Motorist/Under Insured Motorist: In addition, tour operators are required to carry Uninsured Motorist/Under Insured Motorist coverage in the minimum amount of **\$300,000 per occurrence** to operate in the state of Arizona and/or Utah. Refer to Commercial Use Authorization Provisions, [Attachment A] Section 26 **Certificates of Insurance** for specific guidelines regarding content requirements of all Certificates of Insurance.
19. **Business Supplies and Materials**: The Permittee and employees registered under this Permit are authorized to carry into the lakeshore only those supplies and materials necessary to support the duration of the trip. At the completion of the trip, all remaining supplies and materials will be removed immediately from the lakeshore. Caching supplies and materials is specifically not authorized.

20. **Storage:** No vehicles or other equipment may be stored overnight within Apostle Islands NL. The Permittee will coordinate with the tour visitors/clients participants to carpool or shuttle to reduce the number of vehicles left in the park, as practical.